

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under  
37 C.F.R. 1.53(b))

Attorney Docket No.

2799.1001-002

First Named Inventor or  
Application Identifier

Vadim R. Viviani

Express Mail Label No.

EV005367542US

Title of  
Invention

NUCLEIC ACID MOLECULES ENCODING RED AND GREEN EMITTING LUCIFERASES

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 43]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to microfiche Appendix
  - Background of the Invention
  - Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
  - ☐ Formal ☒ Informal
  - ☐ Fig. of the Drawings for Publication ☐
4. ☒ Oath or Declaration/POA [Total Pages 6]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))  
(for continuation/divisional with Box 18 completed)  
[NOTE Box 5 below]
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 C.F.R. 1.63(d)(2)  
and 1.33(b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 4b, is  
considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)  
9 Pages
  - c. ☐ Statement verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & documents)  
☐ Assignee -
9. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
14. ☐ Small Entity ☒ Statement filed in prior application,  
Statement(s) status still proper and desired
- 15a. ☒ Foreign Priority Claim under 35 U.S.C. §119(a)-(b)
- 15b. ☐ Certified Copy of Priority Document(s)
16. ☐ Nonpublication Request (check parent application)
17. ☒ Other: Remarks, Request Under 37 C.F.R. §1.821(e)

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/516,958

Prior application information: Examiner: E. Slobodyansky Group Art Unit: 1652

### 19. CORRESPONDENCE ADDRESS

NAME	Alice O. Carroll, Esq.				
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Signature	<i>Alice O. Carroll</i>	Date	November 14, 2001
Submitted by Typed or Printed Name	Alice O. Carroll	Reg. Number	33,542

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>	Attorney Docket Number	2799.1001-002	
	Application Number		
	First Named Inventor	Vadim R. Viviani	

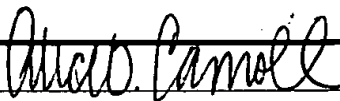
CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small>	5	– 20* =	0	x \$ 18 =	\$ 0
INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (l))</small>	3	– 3** =	0	x \$ 84 =	\$ 0
MULTIPLE DEPENDENT CLAIMS (if applicable) <small>(37 CFR 1.16(d))</small>				+ \$ 280 =	\$
				BASIC FEE <small>(37 CFR 1.16(a) or (h))</small>	\$ 740
Total of above Calculations =					\$ 740
Reduction by 50% for filing by small entity <small>(37 CFR 1.9, 1.27, 1.28)</small> =					\$ 370
TOTAL =					\$ 370
Surcharge - Late Filing of Declaration or Filing Fees <small>(37 C.F.R. 1.16(e))</small> =					\$
Petition for Extension of Time Fee <small>(37 C.F.R. 1.17)</small> =					\$
Assignment Recordation Fee = <small>(only when filed with application)</small>					\$
TOTAL =					\$ 370
<small>* Reissue claims in excess of 20 and over original patent  ** Reissue independent claims over original patent</small>					

1. Small entity status:
  - a. ☐ A small entity statement is enclosed.
  - b. ☒ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
  - c. ☐ Is no longer claimed.
  
2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
  
3. ☒ A check is enclosed for \$370.00.      ☐ Please charge \$[    ] to Deposit Account No. 08-0380.
  
4. ☐ Other: \_\_\_\_\_

Signature		Date	November 14, 2001
Submitted by Typed or Printed Name	Alice O. Carroll	Reg. Number	33,542